IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

WP(C).No. 35425 of 2007(P)

PETITIONER:

M/S.THE INDIA CEMENTS LTD.,
"ICL" HOUSE, KRISHNASWAMY ROAD, ERNAKULAM.
REPRESENTED BY ITS MANAGER (ACCOUNTS)
MR.K.SRIDHARAN.

BY ADV. SRI.K.SRIKUMAR
SRI.K.MANOJ CHANDRAN
SRI.P.R.AJITHKUMAR

RESPONDENTS:

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1. THE ASSISTANT COMMISSIONER (A.A)
COMMERCIAL TAXES, ERNAKULAM.

2. THE DEPUTY COMMISSIONER OF
COMMERCIAL TAXES (APPEALS), ERNAKULAM.

3. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM, KOCHI-30.

BY GOVT. PLEADER MR. TECKCHAND.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 35425 OF 2007 P
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Dated this the 30th November, 2007

J U D G M E N T

Aggrieved by Exts. P1 and P2 assessment orders Exts. P3 and P4 appeals have been filed along with Exts. P5 and P6 stay petitions which are pending consideration of the 2nd respondent. It is submitted that while so, revenue recovery action has been initiated by Exts. P7 and P8 and hence this writ petition.

2. In view of the pendency of the appeals before the 2nd respondent, I dispose of this writ petition itself directing the 2nd respondent to consider Exts. P5 and P6 applications for stay. This shall be done within 3 weeks of receipt of a copy of this judgment. In the meanwhile further proceedings pursuant to Exts. P7 and P8 will be deferred for a period of 4 weeks.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC
JUDGE

jan/-